IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39548 of 2008
SHAILENDRA KUMAR @ SHAILENDRA YADAV @ SHKENDRA KUMAR YADAV
Versus
STATE OF BIHAR
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2. 16.09.08. Heard learned counsel for the petitioner and the State.

This is a case under Section 379 of the Indian Penal Code.

With regard to theft, an F.I.R. has been lodged under Section 379 of the Indian Penal Code against unknown miscreants.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. nor there is any witnesses who saw the petitioner committing theft. Further submission is that petitioner's complicity is alleged only on the ground of confessional statement of co-accused Chandan Kumar and the petitioner has also not confessed his guilt before the police.

Learned counsel for the petitioner further submits that there is no recovery from the petitioner's possession.

The petitioner is in custody since 7. 8. 2007.

Mr. S.R. Haque, learned A.P.P. does not point out any other material against the petitioner.

In the facts and circumstances of the case, the petitioner namely; Shailendra Kumar @ Shailendra Yadav @ Shikendra Kumar Yadav @ Shikendra Yadav is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri B. M. Singh, Judicial Magistrate Ist Class, Ara, Bhojpur, in conection with Ara Nawada P.S. Case No. 118/07 (Tr. No. 3134/07)

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m.p. **(Chandra Mohan Prasad, J.)**